

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA-WESTERN DIVISION

ROMEL JOHNSON,) CV 08-05496-MMM
Petitioner,) ORDER ADOPTING THE
v.) REPORT AND RECOMMENDATION
ROBERT A. HOREL, WARDEN,) OF UNITED STATES MAGISTRATE
Respondents.) JUDGE

Pursuant to 28 U.S.C. Section 636(b)(1)(C), the Court has reviewed the First Amended Petition, all of the records and files herein and the attached Report and Recommendation of the United States Magistrate Judge, and has made a de novo determination of the Report and Recommendation. The Court concurs with and adopts the conclusions of the Magistrate Judge.

IT IS ORDERED that the judgment be entered dismissing the First Amended Petition for Writ of habeas Corpus with prejudice.

1 IT IS FURTHER ORDERED that the Clerk shall serve copies of this Order,
2 the Magistrate Judge's Report and Recommendation and the Judgment herein by
3 the United States mail on petitioner and counsel for respondent.

4 LET JUDGMENT BE ENTERED ACCORDINGLY.
5

6 DATED: October 30, 2009

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9 MARGARET M. MORROW
10 UNITED STATES DISTRICT JUDGE